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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

July 2007 Grand Jury '08 CR 2509 IEG

UNITED STATES OF AMERICA, Plaintiff, v. RAUL VILLAVICENCIO-BURRUEL, Defendant.	Criminal Case No. ____________ INDICTMENT Title 8, U.S.C., Secs. 1326(a) and (b) - Deported Alien Found in the United States; Title 18, U.S.C., Sec. 911 - False Claim to United States Citizenship

The grand jury charges:

Count 1

On or about April 8, 2007, within the Southern District of California, defendant RAUL VILLAVICENCIO-BURRUEL, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Sections 1326(a) and (b).

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It is further alleged that defendant RAUL VILLAVICENCIO-BURRUEL was removed from the United States subsequent to January 30, 2006.

Count 2

On or about April 8, 2007, within the Southern District of California, defendant RAUL VILLAVICENCIO-BURRUEL did falsely and willfully represent to Department of Homeland Security, Bureau of Customs and Border Protection Officer W. J. Maskell, a person having good reason to inquire into the nationality status of the defendant, that he was a citizen of the United States; whereas, in truth and fact, as the defendant then and there well knew, he was not a citizen of the United States; in violation of Title 18, United States Code, Section 911.

DATED: July 29, 2008.

A TRUE BILL:

Foreperson

KAREN P. HEWITT
United States Attorney

By:
JAMES P. MELENDRES
Assistant U.S. Attorney